

JUDGE NATHAN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

12 CIV 1268

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2012 FEB 17 P 8:15

PARAMOUNT PICTURES CORPORATION,

U.S. DISTRICT COURT SDNY

Plaintiff,

Civil Action No. \_\_\_\_\_

- against -

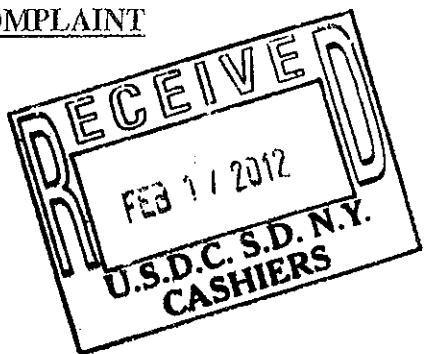
ANTHONY PUZO, AS EXECUTOR OF THE  
ESTATE OF MARIO PUZO,

COMPLAINT

Defendant.

-----X

NATURE OF THIS ACTION



1. This civil action is based on, and seeks injunctive relief and damages to redress, ongoing and prospective violations of the federal Copyright Act, 17 U.S.C. § 101 et seq., and of the federal trademark laws, 15 U.S.C. § 1114 and 1125(a). It also seeks to protect the integrity and reputation of *The Godfather* trilogy, one of the most acclaimed and beloved artistic works of the past 50 years.

2. In 1969, plaintiff Paramount Pictures Corporation ("Paramount") purchased from the now-deceased author Mario Puzo ("Puzo") the copyright interest in Puzo's novel *The Godfather*. By written agreements executed on November 28, 1969, Puzo granted to Paramount, among other rights, "any and all copyrights therein and all rights now known or hereafter accruing therein and thereto, forever and throughout the world, together with the sole and exclusive right to use said work, in whole or in part, in whatever manner the Purchaser [i.e., Paramount] may desire, including, but not limited to, the sole and exclusive right: to make and cause to be made literary and dramatic and other versions and adaptations of every kind and character of said work or any part or parts thereof and/or any or all of the characters created

therein . . . [and] to adapt, arrange, change, interpolate in, transpose, add to and subtract from said work to such extent as the Purchaser, in its sole discretion, may desire in connection with any use which the Purchaser may make of said work."

3. After acquiring the aforementioned rights, Paramount adapted *The Godfather* novel into three highly-acclaimed motion pictures, directed by Francis Ford Coppola.

4. Puzo died in 1999. After his death, the Puzo Estate expressed interest in publishing additional *Godfather* "sequel novels," to be written by new authors.

5. In 2002, in an attempt to accommodate the Puzo Estate while preserving the integrity of Paramount's *Godfather* franchise, Paramount and the Puzo Estate entered into a Memorandum of Agreement, under which the parties acknowledged that Paramount had no objection to the Puzo estate granting Random House the right to publish one (but only one) "Sequel Novel" to *The Godfather*. The Memorandum of Agreement also stated that "The Estate contends that it shall have the right to publish subsequent novels after the Sequel Novel without the consent of [Paramount] and [Paramount] contends to the contrary. Both parties reserve their rights and contentions with respect to subsequent sequels. Notwithstanding the foregoing, the Estate acknowledges that [Paramount] is the sole and exclusive owner of all motion picture, television, and allied rights in and to the Novel [i.e., *The Godfather*] and the Sequel Novel." A first sequel novel, entitled *The Godfather Returns*, was published in 2004 pursuant to said Memorandum of Agreement.

6. In 2006, without Paramount's knowledge or authorization, the Puzo Estate published a second sequel novel, entitled *The Godfather's Revenge*, which received mediocre reviews and suffered weak sales. Far from properly honoring the legacy of *The Godfather*, the unauthorized *The Godfather's Revenge* tarnished it, and in the process, also misled consumers

into believing that *The Godfather's Revenge* was authorized by Paramount, or otherwise affiliated with or connected to *The Godfather* and Paramount's *Godfather* franchise.

7. The Puzo Estate has now publicly announced, and has informed Paramount, that in 2012 it intends to publish without Paramount's authorization a third sequel novel, entitled *The Family Corleone*.

8. Paramount respects and treasures the enormous contribution of the late Mario Puzo to a story and film franchise that is admired and loved throughout the world. But the parties' 1969 agreements expressly state that the sole and exclusive rights to create and distribute derivative works based on *The Godfather* novel, including "literary ... versions and adaptations," are owned by Paramount and not by the Puzo Estate. The 2002 Memorandum of Agreement permitted the Puzo Estate to publish only one sequel. The publication of the additional unauthorized sequel entitled *The Family Corleone* will be a violation of Paramount's rights under the Copyright Act, and a threat to the legacy and integrity of the *Godfather* franchise.

9. Paramount is also the owner of the registered trademark in the world-famous *Godfather* logo and related registered and common-law marks (collectively, the "Godfather Marks") as set forth in Exhibit "5" hereto and incorporated herein by this reference. The Godfather Marks have a distinctive look and font that have been continually used to promote the *Godfather* franchise for nearly forty years. Paramount has invested substantial time and resources in establishing (and enforcing) exclusive rights in the Godfather Marks for a range of goods and services, including without limitation the films themselves, entertainment services, video games and software, art prints, and apparel. As a result of Paramount's efforts, the Godfather Marks have become famous marks of incalculable value.

10. The Puzo Estate, without Paramount's permission, used the Godfather Marks on the covers of the first and second sequel novels. The Puzo Estate also used the Godfather Marks

in connection with advertising, marketing, and promotional material related to the first and second sequel novels. On information and belief, the Puzo Estate intends to use the Godfather Marks in connection with the advertising, marketing, and promotion of the third sequel novel. The Puzo Estate is, on information and belief, aware of Paramount's ownership of the Godfather Marks. Yet it did not seek, and has not sought, permission from Paramount before using Paramount's protected trademark interests for commercial gain.

11. Accordingly, Paramount brings this action for damages, injunctive, and declaratory relief against the Puzo Estate in connection with its ongoing infringement of Paramount's copyright and trademark interests.

#### PARTIES

12. Plaintiff Paramount Pictures Corporation is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in Los Angeles, California.

13. Defendant Anthony Puzo is the son of Mario Puzo and is the duly appointed representative of the Estate of Mario Puzo (the "Puzo Estate"). Defendant is a resident of New York.

#### JURISDICTION AND VENUE

14. This Court has subject matter jurisdiction over Paramount's claims under 28 U.S.C. § 1331 and 1338, and 15 U.S.C. § 1121, in that these copyright and trademark claims arise under the laws of the United States. This Court has personal jurisdiction over Defendant because he is a resident of the State of New York, and because the Puzo Estate has committed and has announced plans to commit numerous infringing acts in the State of New York and this District.

15. Venue in this Court is proper pursuant to 28 U.S.C. § 1391 and 1400(a), in that, on information and belief, Defendant may be found in this District and a substantial part of the events or giving rise to the claim occurred and are occurring in this District.

**FIRST CAUSE OF ACTION FOR FEDERAL COPYRIGHT INFRINGEMENT**

16. Paramount realleges and incorporates by reference each of the foregoing paragraphs as though fully set forth herein.

17. Paramount owns the copyright, and all rights, title, and interest thereto, in the novel *The Godfather*, including the right to create derivative works thereto. The 1969 agreements between Paramount and Puzo reserved to Paramount all rights in *The Godfather* novel except the publication rights in that original novel. Puzo did not reserve any rights to publish a sequel to *The Godfather*. Thus, after execution of the 1969 agreements, Puzo retained no rights of any kind in *The Godfather* novel except for the right to publish that original novel in book form.

18. In its 2002 Memorandum of Agreement with the Puzo Estate, Paramount agreed not to object to the Puzo Estate's publication of a single sequel novel. However, the Memorandum of Agreement did not grant the Puzo Estate the right to publish subsequent sequels or to create any other derivative works based upon *The Godfather*.

19. After the execution of the 2002 Memorandum of Agreement, among its other rights, Paramount continued to own all rights in and to *The Godfather* novel except for (a) Puzo's reserved right to publish the original novel and (b) the Puzo Estate's right to publish a single Paramount-authorized sequel novel.

20. In addition to its copyright in the novel *The Godfather*, Paramount also owns the entire copyright in the films *The Godfather*, *The Godfather Part II*, and *The Godfather Part III*.

Collectively, Paramount's rights in the novel *The Godfather* and the three *The Godfather* films are referred to herein as the "Godfather Works."

21. The Godfather Works are original works of authorship owned by Paramount and are copyrightable subject matter under the laws of the United States.

22. Paramount is the owner of registered copyrights for each of the Godfather Works. Copies of the relevant registrations are attached to this complaint as Exhibits 1 through 4.

23. The Puzo Estate has infringed upon, has continued to infringe upon, and has declared its intention to further infringe upon Paramount's copyright interests in the Godfather Works, by publishing the second sequel novel *The Godfather's Revenge* and by announcing its intention to publish *The Family Corleone*.

24. The Puzo Estate had access to at all relevant times, and did access, each of the Godfather Works.

25. The Puzo Estate has infringed upon, and has announced its intention to continue to infringe upon, Paramount's copyright interest in the Godfather Works through the unauthorized and unlawful creation of derivative works substantially similar to the Godfather Works, violating Paramount's exclusive right to create derivative works granted under 17 U.S.C. § 106(2).

26. Paramount is informed and believes and on that basis alleges that the Puzo Estate had full knowledge that its acts were and are wrongful and unlawful. Nonetheless, the Puzo Estate has continued to infringe on Paramount's copyrights, throughout the United States, even after Paramount informed the Puzo Estate by letter and other correspondence that its actions constituted wrongful infringement. Upon information and belief, the Puzo Estate's acts of copyright infringement were committed both with knowledge that their conduct constituted copyright infringement and for purposes of commercial advantage or private financial gain.

Thus, the Puzo Estate's copyright infringement was and is willful pursuant to 17 U.S.C. §§ 501 et seq.

27. By reason of the foregoing, Paramount has suffered damages in an amount to be determined at trial, and is entitled, at its election, to either (a) all damages suffered by Paramount, along with all gains, profits, and advantages derived by the Puzo Estate from its acts of infringement, plus exemplary or punitive damages in amounts to be proven at trial, (b) statutory damages as provided for in the Copyright Act. Paramount is also entitled to attorney's fees as available by law.

28. Paramount has suffered and will suffer irreparable harm as a result of the Puzo Estate's infringing conduct, and lacks an adequate remedy at law for the injury threatened by the Puzo Estate, in that Paramount will suffer intangible injuries, including the loss of customer goodwill, damage to consumer perceptions about the *Godfather* Works, the loss of control over its copyrighted works, and injury to Paramount's reputation with its licensees and its customers. Paramount is entitled under the Copyright Act to provisional and permanent relief enjoining the Puzo Estate's infringements.

**SECOND CAUSE OF ACTION FOR TRADEMARK INFRINGEMENT**  
**(15 U.S.C. § 1114)**

29. Paramount realleges and incorporates by reference each of the foregoing paragraphs as though fully set forth herein.

30. Paramount owns various United States trademark registrations that include the distinctive design of *The Godfather* trademark, including USPTO Reg. Nos. 1,674,068; 1,707,295; 3,159,811; 3,159,762; 3,432,881; 3,432,882; 3,437,926; and 3,628,838. Copies of the relevant trademark registrations are set forth on Exhibit 5 hereto. Paramount has also filed several trademark applications in connection with related marks, including USPTO Application

Nos. 85387110, 77769544, 77795896, and 77795903. Collectively, these registrations and applications are referred to herein as the "Godfather Marks."

31. The Puzo Estate's actions and planned actions in connection with the sale, offering for sale, distribution, and/or advertising of goods bearing the Godfather Marks in interstate commerce, without the consent of Paramount, constitutes infringement of the Godfather Marks and has caused or is likely to cause a likelihood of confusion, mistake, or deception.

32. Paramount has suffered damages as a result of the Puzo Estate's acts of infringement in an amount to be proven at trial. In addition, as a result of the Puzo Estate's acts of infringement, Paramount has suffered and, unless those acts are enjoined by the Court, will continue to suffer irreparable harm for which it has no adequate remedy at law.

33. The Puzo Estate's actions have been knowing, intentional, wanton, and willful, entitling Paramount to treble damages, statutory damages, attorneys' fees, and costs.

**THIRD CAUSE OF ACTION FOR FALSE DESIGNATION OF ORIGIN**  
**(15 U.S.C. § 1125(a))**

34. Paramount realleges and incorporates by reference each of the foregoing paragraphs as though fully set forth herein.

35. The Puzo Estate's actions and planned actions in connection with the sale, offering for sale, distribution, and/or advertising of goods bearing the Godfather Marks in interstate commerce, without the consent of Paramount, constitutes a false designation of origin and has caused or is likely to cause a likelihood of confusion, mistake, and deception as to source, sponsorship, affiliation, and/or connection in the minds of the public.

36. Paramount has suffered damages as a result of the Puzo Estate's acts of unfair competition in an amount to be proven at trial. In addition, as a result of the Puzo Estate's acts

of unfair competition, Paramount has suffered and, unless those acts are enjoined by the Court, will continue to suffer irreparable harm for which it has no adequate remedy at law.

37. The Puzo Estate's actions have been knowing, intentional, wanton, and willful, entitling Paramount to treble damages, statutory damages, attorneys' fees, and costs.

**FOURTH CAUSE OF ACTION FOR DECLARATORY RELIEF**

38. Paramount realleges and incorporates by reference each of the foregoing paragraphs as though fully set forth herein.

39. An actual controversy has arisen and now exists between Paramount, on the one hand, and the Puzo Estate, on the other, as to whether the Puzo Estate's publication of sequel novels to *The Godfather* infringes upon Paramount's copyright interests in the Godfather Works.

40. An actual controversy has also arisen has arisen and now exists between Paramount, on the one hand, and the Puzo Estate, on the other, as to whether the Puzo Estate's use of the Godfather Marks in connection with the promotion and marketing of *The Godfather's Revenge* and *The Family Corleone* constitutes trademark infringement and/or unfair competition and false designation of origin under the federal trademark laws.

41. By reason of the foregoing, Paramount is entitled to a declaration that the sequel works *The Godfather's Revenge* and *The Family Corleone* infringe upon Paramount's copyright interests in the Godfather Works.

42. Paramount is also entitled to a declaration that the Puzo Estate's unauthorized use of the Godfather Marks constitutes trademark infringement and/or unfair competition and false designation of origin under the federal trademark laws.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

- i. A declaration that the Puzo Estate has infringed Paramount's copyright interests under 17 U.S.C. 501, and that the Puzo Estate has infringed Paramount's trademark interests under 15 U.S.C. §§ 1114 & 1125;
- ii. A temporary restraining order;
- iii. A preliminary and permanent injunction;
- iv. Statutory and compensatory damages according to proof;
- v. Punitive and exemplary damages for the willful, reckless, and wanton nature of the Puzo Estate's acts;
- x. An award of costs, expenses, and attorney's fees;
- xi. All further relief as is just and proper, in the determination of the Court.

Dated: New York, New York  
February 17, 2012

GAGE SPENCER & FLEMING LLP

By: 

G. Robert Gage, Jr. (GG-3951)  
William B. Fleming (WF-0411)

410 Park Avenue, 9<sup>th</sup> Floor  
New York, NY 10022  
Tel: (212) 768-4900  
Fax: (212) 768-3629  
grgage@gagespencer.com

*Local Counsel to Plaintiff Paramount  
Pictures Corporation*

Richard B. Kendall  
Nicholas F. Daum  
KENDALL BRILL & KLEIGER LLP  
10100 Santa Monica Boulevard, Suite 1725  
Los Angeles, California 90067  
Tel: (310)556-2700

Fax: (310)556-270

*Attorneys for Plaintiff Paramount Pictures  
Corporation*

# **EXHIBIT 1**

## FORM A

CLASS	REGISTRATION NO.
A	58755
DO NOT WRITE HERE	

Application for Registration of a Claim to Copyright  
of a published book manufactured in the United States of America

Make sure that all applicable spaces have been completed before you submit the form. The application must be signed at line 10 and the **AFFIDAVIT** (line 11) must be **SIGNED AND NOTARIZED**. The application should not be submitted until after the date of publication given in line 10 and should state the facts which existed on that date. For further information, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as pages 1 and 2, but may be carbon copies. Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C., 20540, together with 2 copies of the best edition of the work and the registration fee of \$6. Make your remittance payable to the Register of Copyrights.

**Copyright Claimant(s) and Address(es):** Give the name(s) and address(es) of the copyright owner(s). Ordinarily the name should be the same as in the notice of copyright on the copies deposited.

Mario Puzo

866 Manor Lane, Bayshore, Long Island, N. Y. 11706

## THE GODFATHER

(Give the title of the book as it appears on the title page)

**1. Authors:** Citizenship and domicile information must be given. Where a work was made for hire, the employer is the author. The citizenship of organizations formed under U.S. Federal or State law should be stated as U.S.A. Authors

may be editors, compilers, translators, illustrators, etc., as well as authors of original text. If the copyright claim is based on new matter (see line 5) give requested information about the author of the new matter.

Mario Puzo

(Give legal name followed by pseudonym if latter appears on the copies)

U.S.A.

(Name of country)

Address

see above

Citizenship

(Give legal name followed by pseudonym if latter appears on the copies)

Citizenship

(Name of country)

Resided in U.S.A. Yes ..... No ..... Address .....

Resided in U.S.A. Yes ..... No ..... Address .....

(Give legal name followed by pseudonym if latter appears on the copies)

Citizenship

(Name of country)

Resided in U.S.A. Yes ..... No ..... Address .....

**2. Date of Publication of This Edition:** Give the complete date when copies of this particular edition were first placed on sale, sold, or publicly distributed. The date when copies

were made or printed should not be confused with the date of publication. (NOTE: The full date (month, day, and year) must be given.) For further information, see page 4.

March 10, 1969

(Month)

(Day)

(Year)

➡ (NOTE: Leave line 5 blank unless the following instructions apply to this work.) ➡

**3. New Matter in This Version:** If any substantial part of this work has been previously published anywhere, give a brief, general statement of the nature of the new matter published

for the first time in this version. New matter may consist of compilation, translation, abridgment, editorial revision, and the like, as well as additional text or pictorial matter.

➡ NOTE: Leave line 6 blank unless there has been a PREVIOUS FOREIGN EDITION in the English language. ➡

**4. Book in English Previously Manufactured and Published Abroad:** If all or a substantial part of the text of this edition was previously manufactured and published abroad in the English language, complete the following spaces:

Date of first publication of foreign edition ..... (Year)

Was registration for the foreign edition made in the U.S. Copyright Office? Yes ..... No .....

If your answer is "Yes," give registration number .....

Complete all applicable spaces on next page

EXAMINER
91R



## FORM RE

UNITED STATES COPYRIGHT OFFICE

RE 757-735		
EFFECTIVE DATE OF RENEWAL REGISTRATION APR 22 1997 (Month) (Day) (Year)		

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

<b>1</b>  Renewal Claimant(s)	RENEWAL CLAIMANT(S), ADDRESS(ES), AND STATEMENT OF CLAIM: (See Instructions)	
	1	Name ..... Mario Puzo Address ..... c/o Donadio & Ashworth, Inc., 121 West 27th St., New York, N.Y. 10001 Claiming as ..... Author (Use appropriate statement from instructions)
	2	Name ..... Address ..... Claiming as ..... (Use appropriate statement from instructions)
	3	Name ..... Address ..... Claiming as ..... (Use appropriate statement from instructions)

## TITLE OF WORK IN WHICH RENEWAL IS CLAIMED:

THE GODFATHER

<b>2</b>  Renewal Claimant(s)	RENEWABLE MATTER:	
	Entire text	
CONTRIBUTION TO PERIODICAL OR COMPOSITE WORK:		
<input type="checkbox"/> Title of periodical or composite work: ..... <input type="checkbox"/> If a periodical or other serial, give: Vol. ..... No. ..... Issue Date ..... 		

<b>3</b>  Author(s)	AUTHOR(S) OF RENEWABLE MATTER:	
	Mario Puzo	

<b>4</b>  Facts of Original Registration	ORIGINAL REGISTRATION NUMBER:	ORIGINAL COPYRIGHT CLAIMANT:
	A 58755	Mario Puzo 866 Manor Lane, Bayshore Long Island, N.Y. 11706
ORIGINAL DATE OF COPYRIGHT:		
<input type="checkbox"/> If the original registration for this work was made in published form, give: DATE OF PUBLICATION: March 10 1969 (Month) (Day) (Year) OR		
<input type="checkbox"/> If the original registration for this work was made in unpublished form, give: DATE OF REGISTRATION: ..... (Month) (Day) (Year)		

EXAMINED BY: <i>BC</i>	RENEWAL APPLICATION RECEIVED: <i>APR 22 1997</i>	FOR COPYRIGHT OFFICE USE ONLY
CHECKED BY: .....	DEPOSIT ACCOUNT FUND USED: <input type="checkbox"/>	

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

**RENEWAL FOR GROUP OF WORKS BY SAME AUTHOR:** To make a single registration for a group of works by the same individual author published as contributions to periodicals (see instructions), give full information about each contribution. If more space is needed, request continuation sheet (Form RE/CON).

5

Renewal  
for Group  
of Works

1	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
2	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
3	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
4	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
5	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
6	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)
7	Title of Contribution: .....	Vol. .... No. .... Issue Date .....
	Title of Periodical: .....	Registration Number: .....
	Date of Publication: .....	(Month) (Day) (Year)

**DEPOSIT ACCOUNT:** (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.)

Name: ... The Putnam Publishing Group .....

Account Number: ... DA 038288 .....

**CORRESPONDENCE:** (Give name and address to which correspondence about this application should be sent.)

Name: Theresa Lynch c/o The Putnam Pub. Grp.

Address: ... 200 Madison Avenue .....

New York, N.Y. 10016 (An)

(City)

(State)

(ZIP)

6

Fee and  
Correspond-  
ence

**CERTIFICATION:** I, the undersigned, hereby certify that I am the: (Check one)

renewal claimant  duly authorized agent of: ... *Mario Puzo* .....

(Name of renewal claimant)

of the work identified in this application, and that the statements made by me in this application are correct to the best of my knowledge.



Handwritten signature: (X) *Theresa Lynch*

Typed or printed name: ... Theresa Lynch .....

Date: April 10, 1997 .....

7

Certification  
(Application  
must be  
signed)

... Theresa Lynch c/o The Putnam Publishing Group .....

(Name)

200 Madison Avenue .....

(Number, Street and Apartment Number)

New York, N.Y. 10016 .....

(City) (State) (ZIP code)

MAIL  
CERTIFICATE  
TO

(Certificate will  
be mailed in  
window envelope)

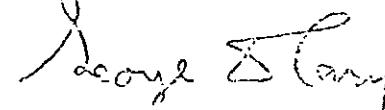
8

Address for  
Return of  
Certificate

## **EXHIBIT 2**

Registration of a Claim to Copyright  
in a motion picture

This is to Certify that the statements set forth on this certificate have been made a part of the records of the Copyright Office. In witness whereof the seal of the Copyright Office is hereto affixed.



Register of Copyrights  
United States of America

CLASSES	REGISTRATION NO.
L-M P	40553
DO NOT WRITE HERE	



## 1. Copyright Claimant(s) and Address(es):

Name Paramount Pictures Corporation

Address 1 Gulf + Western Plaza, New York, New York 10023

Name \_\_\_\_\_

Address \_\_\_\_\_

2. (a) Title: THE GODFATHER

(Give the title of this particular motion picture as it appears on the copies)

## (b) Series Title: \_\_\_\_\_

(If work is part of a series with a continuing title, give series title)

## 3. (a) Nature of Work:

Photoplay

Motion picture other than a photoplay

(b) Description of Copies: 15,759 feet

(Give running time, footage, or number of reels)

## (c) Number of Prints Deposited: (For unpublished works only) \_\_\_\_\_

## 4. Author:

Name Paramount Pictures Corporation

U S A

Citizenship \_\_\_\_\_ (Name of country)

Domiciled in U.S.A. Yes  No \_\_\_\_\_ Address 202 N. Canon Drive  
Beverly Hills, California 90210

## 5. (a) Date of Publication:

February 23, 1972

(Month) (Day) (Year)

## (b) Place of Publication:

United States

(Name of country)

## 6. Previous Registration or Publication:

Was work previously registered? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of registration \_\_\_\_\_ Registration number \_\_\_\_\_

Was work previously published? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of publication \_\_\_\_\_ Registration number \_\_\_\_\_

Is there any substantial NEW MATTER in this version? Yes \_\_\_\_\_ No \_\_\_\_\_ If your answer is "Yes," give a brief general statement of the nature of the NEW MATTER in this version:

Complete all applicable spaces on next page

EXAMINER
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7. Deposit account:

Fulton Brylawski

8. Send correspondence to:

Name \_\_\_\_\_

Address \_\_\_\_\_

9. Send certificate to:

(Type or  
print Name  
name and  
address) Address \_\_\_\_\_

Fulton Brylawski

224 E. Capitol Street

(Number and street)

Washington, D. C.

20003

(City)

(State)

(ZIP code)

## Information concerning copyright in motion pictures

*When to Use Form L-M.* Form L-M is appropriate for unpublished and published motion pictures.

*What Is a "Motion Picture"?* The copyright law provides for two classes of motion pictures.

—*Photoplays* (Class L) include motion pictures that are dramatic in character and tell a connected story, such as feature films, filmed television plays, and animated cartoons.

—*Motion Pictures Other Than Photoplays* (Class M) include such films as newsreels, travelogues, promotional films, nature studies, and filmed television programs having no plot.

*Unpublished Scenarios.* The Copyright Office cannot make registration for an unpublished scenario, synopsis, format, or general description of a motion picture.

: *No "Blanket" Copyright.* The general idea, outline, or title of a motion picture or of a filmed series cannot be copyrighted. Registration for a motion picture covers the copyrightable material in the film, but does not give any sort of "blanket" protection to the characters or situations portrayed, to future films in the series, or to the series as a whole.

*Duration of Copyright.* Statutory copyright begins on the date the work was first published, or, if the work was registered for copyright in unpublished form, copyright begins on the date of registration. In either case, copyright lasts for 28 years, and may be renewed for a second 28-year term.

## Unpublished motion pictures

*How to Register a Claim.* To obtain copyright registration mail the following material to the Register of Copyrights, Library of Congress, Washington, D.C. 20540: (1) the title of the film; (2) a description (synopsis, press book, continuity, etc.); (3) for photoplays, one print (frame or blow-up) taken from each scene or act, and for other motion pictures, at least two prints taken from different sections of the film; (4) an

application on Form L-M; and, (5) a fee of \$6.

*Procedure to Follow if Work Is Later Published.* If the work is later reproduced in copies and published, it is necessary to make a second registration, following the procedure outlined below. To maintain copyright protection, all copies of the published work must contain a copyright notice in the required form and position.

## Published motion pictures

*What Is "Publication"?* Publication, generally, means the sale, placing on sale, or public distribution of copies. In the case of a motion picture, it may also include distribution to film exchanges, film distributors, exhibitors, or broadcasters under a lease or similar arrangement.

## How to Secure Copyright in a Published Motion Picture:

1. Produce copies with the copyright notice.
2. Publish the work.

3. Register the copyright claim by sending to the Copyright Office: (1) two complete copies of the best edition of the motion picture; (2) a description (synopsis, press book, continuity, etc.); (3) an application on Form L-M; and, (4) a fee of \$6.

*The Copyright Notice.* In order to secure and maintain copyright protection for a published work, it is essential that all copies published in the United States contain the statutory copy-

right notice. For motion pictures this notice should appear on or near the title frame, and should consist of the word "Copyright," the abbreviation "Copr.," or the symbol ©, accompanied by the name of the copyright owner and the year date of publication. Example: © John Doe 1971. Use of the symbol © may result in securing copyright in countries which are parties to the Universal Copyright Convention.

*NOTE:* If copies are published without the required notice, the right to secure copyright is lost and cannot be restored.

*Return of Deposit Copies.* The deposit copies (i.e., reels) of published motion pictures are subject to retention by the Library of Congress. However, it may be possible to enter into a contract with the Librarian for the return of the copies under certain conditions, and contract forms may be obtained on request. Information regarding the contract may be obtained from the Exchange and Gift Division, Library of Congress, Washington, D.C. 20540.

FOR COPYRIGHT OFFICE USE ONLY		
Application received  APR. 26 1972 Two copies received 26 APR 1972	Prints received	One copy received
Title and description received  APR. 26 1972		
Fee received		

## **EXHIBIT 3**

Page 3

# Certificate

## Registration of a Claim to Copyright

### in a motion picture

This is To Certify that the statements set forth on this certificate have been made a part of the records of the Copyright Office. In witness whereof the seal of the Copyright Office is hereto affixed.



*Register of Copyrights  
United States of America*

CLASSES	REGISTRATION NO.
L-M	LP 44010
DO NOT WRITE HERE	



**1. Copyright Claimant(s) and Address(es):**

Name Paramount Pictures Corporation and The Coppola Company  
 Address Paramount (1 Gulf Western Plaza, New York, New York 10023  
Coppola Co. (c/o Rosenfeld, Meyer & Susman, 9601 Wilshire Blvd.  
Beverly Hills, Calif. 90210

Name \_\_\_\_\_  
 Address \_\_\_\_\_

**2. (a) Title:** THE GODFATHER PART II

(Give the title of this particular motion picture as it appears on the copies)

(b) Series Title: \_\_\_\_\_  
 (If work is part of a series with a continuing title, give series title)

**3. (a) Nature of Work:**

Photoplay  Motion picture other than a photoplay

(b) Description of Copies: 200 minutes  
 (Give running time, footage, or number of reels)

(c) Number of Prints Deposited: (For unpublished works only) \_\_\_\_\_

**4. Author:**

Name The Coppola Company

Citizenship U S A  
 (Name of country)

Domiciled in U.S.A. Yes  No  Address c/o Rosenfeld, Meyer & Susman  
9601 Wilshire Blvd. Beverly Hills, Calif.

**5. (a) Date of Publication:**

December 9, 1974

(Month) (Day) (Year)

(b) Place of Publication:

United States

(Name of country)

**6. Previous Registration or Publication:**

Was work previously registered? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of registration \_\_\_\_\_ Registration number \_\_\_\_\_

Was work previously published? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of publication \_\_\_\_\_ Registration number \_\_\_\_\_

Is there any substantial NEW MATTER in this version? Yes \_\_\_\_\_ No \_\_\_\_\_ If your answer is "Yes," give a brief general statement of the nature of the NEW MATTER in this version:

EXAMINER	
D	M

7. Deposit account:

Fulton Brylawski

8. Send correspondence to:

Name Fulton Brylawski

Address \_\_\_\_\_

9. Send certificate to:

(Type or  
print  
name and  
address) Name  
Address**Fulton Brylawski****224 E. Capitol Street**

(Number and street)

**Washington**

(City)

**D. C.**

(State)

**20003**

(ZIP code)

**Information concerning copyright in motion pictures***When to Use Form L-M.* Form L-M is appropriate for unpublished and published motion pictures.*What Is a "Motion Picture"?* The copyright law provides for two classes of motion pictures.—*Photoplays* (Class L) include motion pictures that are dramatic in character and tell a connected story, such as feature films, filmed television plays, and animated cartoons.—*Motion Pictures Other Than Photoplays* (Class M) include such films as newscasts, travelogues, promotional films, nature studies, and filmed television programs having no plot.*Unpublished Scenarios.* The Copyright Office cannot make registration for an unpublished scenario, synopsis, format, or general description of a motion picture.*How to Register a Claim.* To obtain copyright registration mail the following material to the Register of Copyrights, Library of Congress, Washington, D.C. 20540: (1) the title of the film; (2) a description (synopsis, press book, continuity, etc.); (3) for photoplays, one print (frame or blow-up) taken from each scene or act, and for other motion pictures, at least two prints taken from different sections of the film; (4) an*No "Blanket" Copyright.* The general idea, outline, or title of a motion picture or of a filmed series cannot be copyrighted. Registration for a motion picture covers the copyrightable material in the film, but does not give any sort of "blanket" protection to the characters or situations portrayed, to future films in the series, or to the series as a whole.*Duration of Copyright.* Statutory copyright begins on the date the work was first published, or, if the work was registered for copyright in unpublished form, copyright begins on the date of registration. In either case, copyright lasts for 28 years, and may be renewed for a second 28-year term.**Unpublished motion pictures**

application on Form L-M; and, (5) a fee of \$6.

*Procedure to Follow if Work Is Later Published.* If the work is later reproduced in copies and published, it is necessary to make a second registration, following the procedure outlined below. To maintain copyright protection, all copies of the published work must contain a copyright notice in the required form and position.**Published motion pictures**

right notice. For motion pictures this notice should appear on or near the title frame, and should consist of the word "Copyright," the abbreviation "Copr.," or the symbol ©, accompanied by the name of the copyright owner and the year date of publication. Example: © John Doe 1971. Use of the symbol © may result in securing copyright in countries which are parties to the Universal Copyright Convention.

*NOTE:* If copies are published without the required notice, the right to secure copyright is lost and cannot be restored.*Return of Deposit Copies.* The deposit copies (i.e., reels) of published motion pictures are subject to retention by the Library of Congress. However, it may be possible to enter into a contract with the Librarian for the return of the copies under certain conditions, and contract forms may be obtained on request. Information regarding the contract may be obtained from the Exchange and Gift Division, Library of Congress, Washington, D.C. 20540.

FOR COPYRIGHT OFFICE USE ONLY		
Application received <b>JAN 23 1975</b>	Prints received	One copy received
Two copies received <b>8 FEB 1975</b>		
Title and description received <b>23 JAN 1975</b>		
Fee received		

## **EXHIBIT 4**

## CERTIFICATE OF COPYRIGHT REGISTRATION



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS  
United States of America

FORM PA  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

PA

509-359

PA

PAU

EFFECTIVE DATE OF REGISTRATION

MAR 20 1991

Month

Day

Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

## TITLE OF THIS WORK ▼

THE GODFATHER, PART III

## PREVIOUS OR ALTERNATIVE TITLES ▼

## NATURE OF THIS WORK ▼ See instructions

## MOTION PICTURE PHOToplay

## NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼

## PARAMOUNT PICTURES CORPORATION

Was this contribution to the work a  
"work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of ► U.S.A.  
Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

If the answer to either  
of these questions is  
Yes, see detailed  
instructions

## NOTE

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

## ENTIRE WORK - SEE SPACE 6

## NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼Was this contribution to the work a  
"work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of ►  
Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

If the answer to either  
of these questions is  
Yes, see detailed  
instructions

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

## NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH  
Year Born ▼ Year Died ▼Was this contribution to the work a  
"work made for hire"?

Yes  
 No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of ►  
Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous?  Yes  No  
 Pseudonymous?  Yes  No

If the answer to either  
of these questions is  
Yes, see detailed  
instructions

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

YEAR IN WHICH CREATION OF THIS  
WORK WAS COMPLETED

This information  
must be given  
in all cases.

1990

Year

## DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information Month ► DECEMBER Day ► 10 Year ► 1990

U.S.A.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the  
same as the author given in space 2. ▼

PARAMOUNT PICTURES CORPORATION

5555 MELROSE AVENUE

LOS ANGELES, CALIFORNIA 90038-3197

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named  
in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

See instructions  
before completing  
space

## MORE ON BACK ►

- Complete all applicable spaces (numbers 5-9) on the reverse side of this page
- See detailed instructions
- Sign the form at line 8

DO NOT WRITE HERE

PA

509-359

EXAMINED BY

CHECKED BY

CORRESPONDENCE  
Yes

FORM PA

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

**DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.**

PREVIOUS REGISTRATION

5  
Was registration for this work, or for an earlier version of this work, already been made in the Copyright Office?  
 Yes  No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼  
 This is the first published edition of a work previously registered in unpublished form.  
 This is the first application submitted by this author as copyright claimant.  
 This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

## DERIVATIVE WORK OR COMPILATION

Complete both space 6a &amp; 6b for a derivative work; complete only 6b for a compilation.

6  
1. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Some of the previously registered musical compositions contained in this work.

See instructions  
before completing  
this space

7  
2. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

Portions of the Screenplay as included in this motion picture, remaining musical compositions and other soundtrack and cinematographic material.

8  
3. DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name ▼

Account Number ▼

PARAMOUNT PICTURES CORPORATION

DA 030201

9  
4. CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

PARAMOUNT PICTURES CORPORATION

5555 MELROSE AVENUE

LOS ANGELES, CALIFORNIA 90038-3197

ATTN: GISELE M. SOLOMON

Area Code &amp; Telephone Number ▶

(213) 956-5404

Be sure to  
give your  
daytime phone  
number

10  
5. CERTIFICATION I, the undersigned, hereby certify that I am the  
check only one ▼

author

other copyright claimant

owner of exclusive right(s)

Authorized agent Paramount Pictures Corporation

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

11  
I declare under penalty of perjury that the work identified in this application and that the statements made  
in this application are correct to the best of my knowledge.

12  
ed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Paul D. Springer, Senior Vice President

date ▶ December 20, 1990

Handwritten signature (X) ▶

L  
M  
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E  
T  
OName ▼ Gisele M. Solomon,  
c/o PARAMOUNT PICTURES CORPORATION

Number/Street/Apartment Number ▼

5555 MELROSE AVENUE (LUBITSCH #413)

City State ZIP ▼

LOS ANGELES, CALIFORNIA 90038-3197

## YOU MUST

- Completes all necessary spaces
- Sign your application in space 8

SEND ALL ELEMENTS  
IN THE SAME PACKAGE

1. Application form
2. Non-refundable \$10 filing fee  
in check or money order  
payable to Register of Copyrights
3. Deposit material

## MAIL TO

Register of Copyrights  
Library of Congress  
Washington, D.C. 20559

## **EXHIBIT 5**

Int. Cl.: 9

Prior U.S. Cls.: 21, 36 and 38

United States Patent and Trademark Office

Reg. No. 1,674,068  
Registered Feb. 4, 1992

TRADEMARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION  
(DELAWARE CORPORATION)  
5555 MELROSE AVENUE  
LOS ANGELES, CA 900383197

FOR ENTERTAINMENT MOTION PICTURE  
FILMS, PRE-RECORDED ENTERTAINMENT  
VIDEO CASSETTES AND PRE-RECORDED  
DISC PHONOGRAPH RECORDS, COMPACT

DISCS AND AUDIO CASSETTES FEATURING  
MUSIC FROM MOTION PICTURE FILMS, IN  
CLASS 9 (U.S. CLS. 21, 36 AND 38).

FIRST USE 3-15-1972; IN COMMERCE  
3-15-1972.

SER. NO. 74-111,525, FILED 11-1-1990.

THOMAS V. SHAW, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office Reg. No. 1,707,295  
Registered Aug. 11, 1992

SERVICE MARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION  
(DELAWARE CORPORATION)  
5555 MELROSE AVENUE  
LOS ANGELES, CA 900383197

FOR: ENTERTAINMENT SERVICES IN THE  
NATURE OF A SERIES OF MOTION PICTURE  
FILMS, IN CLASS 41 (U.S. CL. 107).

FIRST USE 3-15-1972; IN COMMERCE

3-15-1972.

THE MARK CONSISTS OF THE WORDS  
"THE GODFATHER" WITH A HAND HOLD-  
ING PUPPET STRINGS.

SER. NO. 74-110,978, FILED 10-31-1990.

THOMAS V. SHAW, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,159,811

United States Patent and Trademark Office

Registered Oct. 17, 2006

TRADEMARK  
PRINCIPAL REGISTER

THE GODFATHER

PARAMOUNT PICTURES CORPORATION (DE-  
LAWARE CORPORATION)  
5555 MELROSE AVENUE  
HOLLYWOOD, CA 90038

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: INTERACTIVE VIDEO GAME PROGRAMS,  
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 78-325,511, FILED 11-10-2003.

FIRST USE 3-21-2006; IN COMMERCE 3-21-2006.

ALICIA COLLINS, EXAMINING ATTORNEY

Int. Cl.: 9

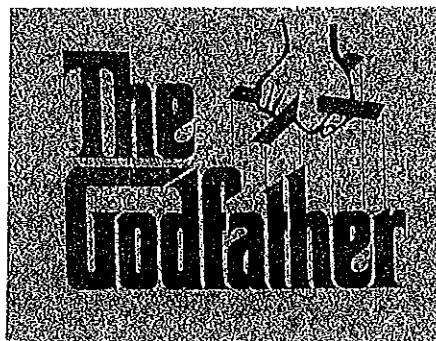
Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,159,762

United States Patent and Trademark Office

Registered Oct. 17, 2006

TRADEMARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION (DE-LAWARE CORPORATION)  
5555 MELROSE AVENUE  
HOLLYWOOD, CA 90038

FOR: INTERACTIVE VIDEO GAME PROGRAMS  
AND SOFTWARE RECORDED ON CD-ROMS AND  
DVD-ROMS AND FOR DISC-BASED, CARTRIDGE-  
BASED AND HAND-HELD CONSOLE PLATFORMS  
, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-21-2006; IN COMMERCE 3-21-2006.

THE MARK CONSISTS OF STYLIZED HAND  
PUPPET DESIGN.

SN 78-279,835, FILED 7-28-2003.

HOWARD B. LEVINE, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 3,432,881

United States Patent and Trademark Office

Registered May 20, 2008

TRADEMARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION (DE-LAWARD CORPORATION)

5555 MELROSE AVENUE  
HOLLYWOOD, CA 90038

FOR: ART PRINTS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 2-9-2007; IN COMMERCE 2-9-2007.

OWNER OF U.S. REG. NOS. 1,674,068 AND 1,707,295.

THE MARK CONSISTS OF A DEPICTION OF PUPPET HANDS WITH STRINGS HOLDING A PORTION OF THE WORDS "THE GODFATHER".

SN 78-735,262, FILED 10-18-2005.

THEODORE MCBRIDE, EXAMINING ATTORNEY

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38, and 50

Reg. No. 3,432,882

United States Patent and Trademark Office

Registered May 20, 2008

TRADEMARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION (DE-LAWARE CORPORATION)

5555 MELROSE AVENUE  
HOLLYWOOD, CA 90038

FOR: ACTION FIGURES, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 11-16-2007; IN COMMERCE 11-16-2007.

OWNER OF U.S. REG. NOS. 1,674,068 AND 1,707,295.

THE MARK CONSISTS OF THE DEPICTION OF PUPPET HANDS WITH STRINGS HOLDING PORTIONS OF THE WORDS "THE GODFATHER",

SN 78-735,265, FILED 10-18-2005.

THEODORE MCBRIDE, EXAMINING ATTORNEY

Int. Cl.: 6

Prior U.S. Cls.: 2, 12, 13, 14, 23, 25, and 50

Reg. No. 3,628,838

United States Patent and Trademark Office

Registered May 26, 2009

TRADEMARK  
PRINCIPAL REGISTER



PARAMOUNT PICTURES CORPORATION (DE-LAWAR CORPORATION)  
5555 MELROSE AVENUE  
HOLLYWOOD, CA 90038

FOR: BUSTS, SCULPTURES AND STATUES  
MADE OF NON-PRECIOUS METAL, IN CLASS 6  
(U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 2-1-2009; IN COMMERCE 2-1-2009.

OWNER OF U.S. REG. NOS. 1,674,068 AND  
1,707,295.

THE MARK CONSISTS OF A DEPICTION OF  
PUPPET HANDS WITH STRINGS HOLDING POR-  
TIONS OF THE WORDS "THE GODFATHER".

SN 78-735,257, FILED 10-18-2005.

THEODORE MCBRIDE, EXAMINING ATTORNEY